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MESSAGE OF THE PRESIDENT.

EXECUTIVE OFFICE, }
Richmond, October 8, 1862. }

To the Senate :

I herewith transmit a communication from the Secretary of War, in response to your resolution of the 1st inst., submitting copies of all orders which have issued from the War Department suspending the writ of habeas corpus.

It will be observed that in some cases, in addition to the suspension of the writ of habeas corpus, all civil jurisdiction, (with the exceptions specified,) was also suspended.

But the criminal jurisdiction of the ordinary Courts has been in no instance interfered with,—their action in all such cases being regarded as an assistance, and not an obstacle to the military authorities in accomplishing the purposes of the Proclamations.

The authority to suspend the writ of habeas corpus having expired by the limitation set in the act approved April 19th, 1862, I have only to add that the writ is now nowhere suspended by action of the Executive.

JEFFERSON DAVIS.

COMMUNICATION OF THE SECRETARY OF WAR.

CONFEDERATE STATES OF AMERICA, }
WAR DEPARTMENT, }
RICHMOND, October 8, 1862. }

His Excellency the PRESIDENT:

SIR:—I have the honor to submit copies of all the orders issued by this Department, suspending the writ of habeas corpus, in response to a resolution of the Senate.

Very respectfully, your obedient servant,
GEO. W. RANDOLPH,
Secretary of War.

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WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, March 1, 1862.

GENERAL ORDERS, }
No. 9. }

I. The following Proclamation of the President is published for the information of all concerned:

“ PROCLAMATION.

By virtue of the power vested in me by law, to declare the suspension of the privilege of the writ of habeas corpus, in cities threatened with invasion:

I, JEFFERSON DAVIS, President of the Confederate States of America, do proclaim, that Martial Law is hereby extended over the City of Richmond, and the adjoining and surrounding country, to the distance of ten miles—and I do proclaim the suspension of all civil jurisdiction (with the exception of that of the Mayor of the city), and the suspension of the privilege of the writ of habeas corpus, within the said city and surrounding country, to the distance aforesaid.

In faith whereof, I have hereunto signed my name and set my seal at the city of Richmond, on this first day of March in the year one thousand eight hundred and sixty-two.

[SEAL.]

(Signed)

JEFFERSON DAVIS.”

II. *Brig. Gen. J. H. Winder*, commanding the Department of Henrico, is charged with the due execution of the foregoing Proclamation. He will forthwith establish an efficient military police, and will enforce the following orders:

All distillation of spirituous liquors is positively prohibited, and the distilleries will forthwith be closed. The sale of spirituous liquors of any kind is also prohibited, and establishments for the sale thereof will be closed.

III. All persons infringing the above prohibition, will suffer such punishment as shall be ordered by the sentence of a court martial: provided, that no sentence to hard labor for more than one month shall be inflicted by the sentence of a regimental court martial, as directed by the 67th article of war.

By command of the Secretary of War,

S. COOPER,

Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, March 8, 1862.

GENERAL ORDERS, }
No. 11. }

I. The following Proclamation is published for the information of all concerned.

“ PROCLAMATION.

By virtue of the power vested in me by law to declare the suspension of the privilege of the writ of habeas corpus in cities threatened with invasion:

I, JEFFERSON DAVIS, President of the Confederate States of America, do proclaim that Martial Law is hereby extended over the City of Petersburg, and the adjoining and surrounding country, to the distance of ten miles, and I do proclaim the suspension of all civil jurisdiction (with the exception of that of the Mayor of the city, and that enabling the courts to take cognizance of the probate of wills, the administration of the estate of deceased persons, the qualifications of guardians, to enter decrees and orders for the partition and sale of property, to make orders concerning roads and bridges, to assess county levies, and to order the payment of county dues), and the suspension of the privilege of the writ of habeas corpus within the said city and surrounding country, to the distance aforesaid.

In faith whereof, I have hereunto signed my name and set my seal on this eighth day of March in the year one thousand eight hundred and sixty-two.

[SEAL.]

(Signed)

JEFFERSON DAVIS.”

II. *William Pannill* is appointed Provost Marshal, and is charged with the due execution of the foregoing proclamation. He will forthwith establish an efficient military police, and will enforce the following orders:

III. All distillation of spirituous liquors is positively prohibited, and the distilleries will forthwith be closed. The sale of spirituous liquors of any kind is also prohibited, and establishments for the sale thereof will be closed.

IV. All persons infringing the above prohibition, will suffer such punishment as shall be ordered by the sentence of a Court Martial: provided, that no sentence to hard labor for more than one month shall be inflicted by the sentence of a regimental court martial, as directed by the 67th Article of War.

By command of the Secretary of War.

S. COOPER,
Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, March 14, 1862.

GENERAL ORDERS, }
No. 15. }

I. The following Proclamation is published for the information of all concerned.

“PROCLAMATION.

By virtue of the power vested in me by law to declare the suspension of the privilege of the writ of habeas corpus :

I, JEFFERSON DAVIS, President of the Confederate States of America, do proclaim that Martial Law is hereby extended over the counties of Elizabeth City, York, Warwick, Gloucester and Matthews; and I do proclaim the suspension of all civil jurisdiction (with the exception of that enabling the courts to take cognizance of the probate of wills, the administration of the estates of deceased persons, the qualification of guardians, to enter decrees and orders for the partition and sale of property, to make orders concerning roads and bridges, to assess county levies, and to order the payment of county dues,) and the suspension of the privilege of the writ of habeas corpus in the counties aforesaid.

In faith whereof, I have hereunto signed my name and set my seal this fourteenth day of March in the year one thousand eight hundred and sixty-two.

[SEAL.]

(Signed)

JEFFERSON DAVIS.”

II. *Major General Magruder*, Commanding the Army of the Peninsula, is charged with the due execution of the foregoing proclamation. He will forthwith establish an efficient military police, and will enforce the following orders :

III. All distillation of spirituous liquors is positively prohibited, and the distilleries will forthwith be closed. The sale of spirituous liquors of any kind is also prohibited, and establishments for the sale thereof will be closed.

IV. All persons infringing the above prohibition, will suffer such punishment as shall be ordered by the sentence of a Court Martial : provided, that no sentence to hard labor for more than one month shall be inflicted by the sentence of a Regimental Court Martial, as directed by the 67th Article of War.

By command of the Secretary of War.

S. COOPER,
Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, March 29, 1862.

GENERAL ORDERS. }
No. 18. }

1. The following Proclamation is published for the information of all concerned :

“PROCLAMATIONN.

By virtue of the power vested in me by law to declare the suspension of the privilege of the writ of habeas corpus :

I, JEFFERSON DAVIS, President of the Confederate States of America, do proclaim that Martial Law is hereby extended over the counties of Greenbrier, Pocahontas, Bath, Alleghany, Monroe, Mercer, Raleigh, Fayette, Nicholas and Randolph ; and I do proclaim the suspension of all civil jurisdiction (with the exception of that enabling the courts to take cognizance of the probate of wills, the administration of the estates of deceased persons, the qualification of guardians, to enter decrees and orders for the partition and sale of property, to make orders concerning roads and bridges, to assess county levies, and to order the payment of county dues), and the suspension of the writ of habeas corpus, in the counties aforesaid.

In faith whereof, I have hereunto signed my name and set my seal this the 29th day of March in the year one thousand eight hundred and sixty-two.

[SEAL]

(Signed)

JEFFERSON DAVIS.”

II. *Brigadier General Henry Heth* is charged with the due execution of the foregoing proclamation. He will forthwith establish an efficient military police, and will enforce the following orders :

All distillation of spirituous liquors is positively prohibited, and the distilleries will forthwith be closed. The sale of spirituous liquors of any kind is also prohibited, and establishments for the sale thereof will be closed.

III. All persons infringing the above prohibition, will suffer such punishment as shall be ordered by the sentence of a Court Martial : provided, that no sentence to hard labor for more than one month shall be inflicted by the sentence of a Regimental Court Martial, as directed by the 67th Article of War.

By command of the Secretary of War.

S. COOPER,
Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, April 8, 1862.

GENERAL ORDERS }
No. 21. }

I. The following Proclamation is published for the information of all concerned :

.. PROCLAMATION.

By virtue of the power vested in me by law to declare the suspension of the privilege of the writ of habeas corpus :

I, JEFFERSON DAVIS, President of the Confederate States of America, do proclaim that Martial Law is hereby extended over the department of East Tennessee, under the command of *Major General E. K. Smith*; and I do proclaim the suspension of all civil jurisdiction (with the exception of that enabling the courts to take cognizance of the probate of wills, the administration of the estates of deceased persons, the qualification of guardians, to enter decrees and orders for the partition and sale of property, to make orders concerning roads and bridges, to assess county levies, and to order the payment of county dues,) and the suspension of the writ of habeas corpus, in the Department aforesaid.

In faith whereof, I have hereunto signed my name and set my seal this eighth day of April in the year one thousand eight hundred and sixty-two.

[SEAL.]

(Signed)

JEFFERSON DAVIS."

II. *Major General E. K. Smith*, Commanding the Department of East Tennessee, is charged with the due execution of the foregoing proclamation. He will forthwith establish an efficient military police, and will enforce the following orders :

All distillation of spirituous liquors is positively prohibited, and the distilleries will forthwith be closed. The sale of spirituous liquors of any kind is also prohibited, and establishments for the sale thereof will be closed.

III. All persons infringing the above prohibition, will suffer such punishment as shall be ordered by the sentence of a Court Martial : provided, that no sentence to hard labor for more than one month shall be inflicted by the sentence of a Regimental Court Martial, as directed by the 67th Article of War.

By command of the Secretary of War.

S. COOPER,
Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, May 1, 1862.

GENERAL ORDERS, }
No. 33. }

I. The following Proclamation is published for the information of all concerned:

“PROCLAMATION.

By virtue of the power vested in me by law to declare the suspension of the privilege of the writ of habeas corpus:

I, JEFFERSON DAVIS, President of the Confederate States of America, do proclaim that Martial Law is hereby extended over that part of the State of South Carolina, from the Santee River, to the South Edisto River in that State, under the command of *Major General Pemberton*; and I do proclaim the suspension of all civil jurisdiction (with the exception of that enabling the courts to take cognizance of the probate of wills, the administration of the estates of deceased persons, the qualification of guardians, to enter decrees and orders for the partition and sale of property, to make orders concerning roads and bridges, to assess county levies, and to order the payment of county dues), and the suspension of the writ of habeas corpus, in the country aforesaid.

In faith whereof, I have hereunto signed my name, and set my seal this first day of May in the year one thousand eight hundred and sixty-two.

[SEAL.]

(Signed)

JEFFERSON DAVIS.”

II. *Major General J. C. Pemberton*, Commanding the Department of South Carolina and Georgia, is charged with the due execution of the foregoing Proclamation. He will forthwith establish an efficient military police, and will enforce the following orders:

All distillation of spirituous liquors is positively prohibited, and the distilleries will forthwith be closed. The sale of spirituous liquors of any kind is also prohibited, and establishments for the sale thereof will be closed.

III. All persons infringing the above prohibition, will suffer such punishment as shall be ordered by the sentence of a Court Martial: provided, that no sentence to hard labor for more than one month shall be inflicted by the sentence of a Regimental Court Martial, as directed by the 67th Article of War.

By command of the Secretary of War.

S. COOPER,

Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, May 3, 1862.

GENERAL ORDERS, }
No. 35. }

I. The following Proclamation is published for the information of all concerned:

“ PROCLAMATION.

By virtue of the power vested in me by law to declare the suspension of the privilege of the writ of habeas corpus:

I, JEFFERSON DAVIS, President of the Confederate States of America, do proclaim that Martial Law is hereby extended over the counties of Lee, Wise, Buchanan, McDowell and Wyoming, under the command of *Brigadier General Humphrey Marshall*; and I do proclaim the suspension of all civil jurisdiction (with the exception of that enabling the courts to take cognizance of the probate of wills, the administration of the estates of deceased persons, the qualification of guardians, to enter decrees and orders for the partition and sale of property, to make orders concerning roads and bridges, to assess county levies, and to order the payment of county dues,) and the suspension of the writ of habeas corpus in the counties aforesaid.

In faith whereof, I have hereunto signed my name, and set my seal this third day of May, in the year one thousand eight hundred and sixty-two.

[Seal.]

(Signed)

JEFFERSON DAVIS.”

II. *Brigadier General Humphrey Marshall* is charged with the due execution of the foregoing proclamation. He will forthwith establish an efficient military police, and will enforce the following orders:

All distillation of spirituous liquors is positively prohibited, and the distilleries will forthwith be closed. The sale of spirituous liquors of any kind is also prohibited, and establishments for the sale thereof will be closed.

III. All persons infringing the above prohibition, will suffer such punishment as shall be ordered by the sentence of a court martial: provided, that no sentence to hard labor for more than one month shall be inflicted by the sentence of a regimental court martial, as directed by the 67th article of war.

By command of the Secretary of War,

S. COOPER,

Adjutant and Inspector General.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,

Richmond, June 5, 1862.

SPECIAL ORDERS, }
No. 129. }

XX. By direction of the President the writ of *habeas corpus* is suspended in the city of *Salisbury, North Carolina*, and throughout the surrounding country to the extent of one mile. Captain *Godwin*, in charge of the prisoners at *Salisbury*, will deliver no prisoners to any of the civil authorities.

* * * * *

By command of the Secretary of War,
JOHN WITHERS,
Assistant Adjutant General.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, Sept. 21st 3, 1862.

SPECIAL ORDERS, }
No. 206. }

* * * * *

XXII. The privilege of the writ of *habeas corpus* is suspended in
Atlanta, Georgia, and throughout the surrounding country to the ex-
tent of five miles.

* * * * *

By command of the Secretary of War,
JOHN WITHERS,
Assistant Adjutant General.

The above order was issued by direction of the President, though
seeming on its face by order of the Secretary of War. As a general
rule it is considered that all orders by direction of the Secretary of
War are the orders of the President, as Commander-in-Chief.

S. COOPER, *A. and I. G.*

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